

REMARKS

Claims 1-39 are currently pending in the subject application and are presently under consideration. Claims 1-3, 9, 12, 21, 26, and 33-39 have been amended as shown on pp. 4-9 of the Reply.

In addition, the entire specification has been scrutinized as requested by the Examiner and any errors of which applicants' representative has become aware of have been corrected as shown at pages 2-3 in the amendments to the specification.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Drawing Objection Under 37 CFR §1.84(p)(5)

The drawings had been objected to for not including reference signs 520₁-520₄. Corrected drawings are appended herewith that overcome this objection. Therefore, this objection should be withdrawn.

II. Objection to Claims 26-32

Claims 26-32 had been objected to since a semicolon had apparently been inadvertently omitted from the end of a clause in claim 26. The semicolon is added with the instant amendment, and therefore this objection should be withdrawn.

III. Rejection of Claim 9 Under 35 U.S.C. §112, second paragraph

Claim 9 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response thereto, the allegedly indefinite language has been amended in accordance with accepted PTO practice. Therefore, the rejection of claim 9 should be withdrawn.

IV. Rejection of Claims 34-39 Under 35 U.S.C. §101

Claims 34-39 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The Examiner states that *claim 34 contains functional descriptive material, however the functional descriptive material cannot be*

realized since it is not stored on a computer readable medium. In response thereto, amended claim 34 now recites this subject matter in terms of a computer readable medium. Therefore, the rejection of independent claim 34 (and claims that depend therefrom) should be withdrawn.

V. Rejection of Claims 1-4, 8-14, 16, 17, 20-22, 24, 26-28 Under 35 U.S.C. §102(a) and §102(e)

Claims 1-4, 8-14, 16, 17, 20-22, 24, 26-28 stand rejected under 35 U.S.C. §102(a) and §102(e) as being anticipated by Schaeck *et al.* (U.S. Patent Application Publication No. 2003/0163513). Withdrawal of this rejection is requested for at least the following reasons. Schaeck *et al.* does not disclose each and every limitation set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim.* *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicant's claimed subject matter, as recited in amended claim 1 (and similarly independent claims 12, 21 26, 33 and 34) relates to a system and method that employs a *shared access profile* to interact with one or more networked device. The *shared access profiles* include *customized access and/or administrative privileges to a networked device*, and in this way *provide users having similar roles with selective access to the networked device*, where the users' roles can be, *e.g.* an electrician or technician or others that require similar network access and privileges. Schaeck *et al.* does not disclose or suggest these novel features.

Schaeck *et al.* relates to a system and method of providing a business web portal that supports aggregate web services. The Examiner cites paragraphs [0022] and [0066]

through [0068] against independent claim 1. However, it is clear from these passages that Schaeck *et al.* discloses “the creation of user profiles that span an aggregated service, enabling users that have a number of roles to determine their credentials for a specific class of operations.” In other words, Schaeck *et al.* discloses a profile for an individual user that specifies *more than one* set of credentials for that individual user. Each user has a profile that enables them to log on with more than one status, *e.g.* as “admin” or as a regular employee. As disclosed *inter alia* in the cited paragraph [0067], “when a systems administrator logs on with his/her administrative identifier and password, these values will preferably identify a user profile where the user's role is “admin” (or some semantic equivalent). If this same person logs on with another identifier, such as a regular employee identifier, then that identifier and password preferably identify a different user profile record having a different user role.” There is nothing in Schaeck *et al.* that discloses or suggests a system and method that employs a *shared access profile* that includes *customized access and/or administrative privileges to a networked device*, to *provide users having similar roles with selective access to the networked device*, as recited in claim 1 (and similarly in independent claims 12, 21, 26, 33 and 34.)

In view of at least the foregoing arguments, it is readily apparent that the cited document does not disclose or suggest every aspect of the claimed subject matter. Accordingly, the rejection of independent claims 1, 12, 21, 26, 33 and 34 (and claims that depend there from) should be withdrawn.

VI. Rejection of Claims 5, 7, 19, 23, 29, 39 Under 35 U.S.C. §103(a)

Claims 5, 7, 19, 23, 29, 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schaeck *et al.* in view of Hayes Jr. *et al.* (U.S. Patent Application Publication No. 2001/0011341). Withdrawal of this rejection is requested for at least the following reasons. Claims 5 and 7 depend from independent claim 1, claim 19 depends from independent claim 12, claims 23 and 29 depend from independent claim 21, and claim 39 depends from independent claim 34; and as stated *supra*, Schaeck *et al.* does not disclose or suggest every limitation set forth in the subject independent claim, and Hayes Jr. *et al.* does not cure the aforementioned deficiencies. Accordingly, this rejection should be withdrawn.

VII. Rejection of Claim 6 Under 35 U.S.C. §103(a)

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schaeck *et al.* Hayes Jr. *et al.*, further in view of Nielsen (US 5,813,007). Withdrawal of this rejection is requested for at least the following reasons. Claim 6 depends from dependent claim 5, which in turn depends from independent claim 1; and as stated *supra*, Schaeck *et al.* does not disclose or suggest every limitation set forth in the subject independent claim, and Hayes Jr. *et al.* and Nielsen do not cure the aforementioned deficiencies. Accordingly, this rejection should be withdrawn.

VIII. Rejection of Claim 15 Under 35 U.S.C. §103(a)

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schaeck *et al.* in view of Hayes Jr. *et al.*, further in view of Gilmour *et al.* (US 6,115,709). Withdrawal of this rejection is requested for at least the following reasons. Claim 15 depends from dependent claim 14, which in turn depends from independent claim 12; and as stated *supra*, Schaeck *et al.* does not disclose or suggest every limitation set forth in the subject independent claim, and Hayes Jr. *et al.* and Gilmour *et al.* do not cure the aforementioned deficiencies. Accordingly, this rejection should be withdrawn.

IX. Rejection of Claims 18 and 25 Under 35 U.S.C. §103(a)

Claims 18 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schaeck *et al.* in view of Hayes Jr. *et al.*, further in view of Sheppard (US 6,026,397). Withdrawal of this rejection is requested for at least the following reasons. Claim 18 depends from dependent claim 16, which in turn depends from independent claim 12, and claim 25 depends from independent claim 21; and as stated *supra*, Schaeck *et al.* does not disclose or suggest every limitation set forth in the subject independent claim, and Hayes Jr. *et al.* and Sheppard do not cure the aforementioned deficiencies. Accordingly, this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Marisa J. Zink/

Marisa J. Zink

Reg. No. 48,064

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731